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April 22, 2015

The Honorable Leonard P. Stark
United States District Court
for the District of Delaware
844 North King Street
Wilmington, DE 19801

VIA ELECTRONIC FILING

Re: *Andover Healthcare, Inc. v. 3M Company*
C.A. No. 13-843 (LPS)

Dear Chief Judge Stark:

We write on behalf of Defendant (“3M”) to update the Court regarding the status of 3M’s *inter partes* review (“IPR”) No. IPR2014-00630 against the patent-in-suit, Plaintiff Andover’s U.S. Patent No. 6,156,424. On request for reconsideration, the IPR of claim 6 was instituted on February 20, 2015. On April 17, 2015, at Andover’s request, Adverse Judgment was entered under 37 C.F.R. § 42.73, and claim 6 was cancelled. A copy of that Judgment is attached herewith.

Because claim 6 has been cancelled at Andover’s request, it is no longer assertable. *E.g.*, 37 C.F.R. § 42.73(d)(3) (patent owner is precluded from taking action inconsistent with the adverse judgment). Furthermore, 3M believes that construction of the “cohesive elastomeric solid” term recited therein is no longer necessary to resolve the parties’ dispute. *C.f.*, D.I. 84 (3M Opening Claim Construction Br.) at 17-20 (requesting construction of the term).

Respectfully,

/s/ Maryellen Noreika

Maryellen Noreika (#3208)

MN/dlw

Enclosure

cc: Clerk of Court (Via Hand Delivery; w/ encl.)
All Counsel of Record (Via Electronic Mail; w/ encl.)